

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7782

BILL NUMBER: SB 533

DATE PREPARED: Jan 13, 1999

BILL AMENDED:

SUBJECT: Licensure of professional geologists.

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FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: This bill changes the certification program for professional geologists to a licensure program and makes conforming amendments. Qualifications for licensure as a professional geologist are revised so that equal credit is given for geological work experience, whether performed in the private sector or for a governmental entity.

This bill exempts from the requirements of licensure a soil scientist or soil classifier who is certified by the American Registry of Certified Professionals in Agronomy, Crops and Soils (ARCPACS) and the Indiana Association of Professional Soil Classifiers (IAPSC) and who applies geology in the practice of soil science. For a person to publicly practice geology or offer to publicly practice geology without being licensed as a professional geologist constitutes a Class B misdemeanor.

Effective Date: July 1, 1999.

Explanation of State Expenditures: The Indiana Board of Certification for Professional Geologists currently oversees the regulation of professional geologists. The Indiana Geological Survey provides administrative support for the Board. Costs of the Board are paid from fees collected. The Board may experience an initial expense of approximately \$20,000 to purchase the examination required for licensure. This cost, however, could be subsequently paid for from fees collected by applicants needing to take the exam. The Board could also experience additional expenses associated with issuing licenses to those practitioners who currently have certificates that reflect certification status. The Board certifies approximately 1,300 geologists. (Additional information will be provided when it becomes available.)

Explanation of State Revenues: With respect to violations, if additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund could increase. The maximum fine for a Class B misdemeanor is \$1,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, county or municipal court (courts of record), 70% of the \$120

court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

Explanation of Local Expenditures: A Class B misdemeanor is punishable by up to 180 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed, and if collected would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed, and if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Indiana Geological Survey and the Indiana Board of Certification for Professional Geologists

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Dr. John Steinmetz, Director, and John Hill, Assistant Director, Indiana Geological Survey (812) 855-5067.